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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 LINDA M. KNIGHT,

12 Plaintiff,

2:-04-cv-01777-GEB-PAN

13 vs.

14 JO ANNE B. BARNHART,
15 Commissioner of Social
Security,

ORDER

16 Defendant.
17 _____/

18 This matter is before the court on plaintiff's petition for
19 attorney fees pursuant to the Equal Access to Justice Act (EAJA).
20 The matter was referred to the Honorable Peter A. Nowinski, United
21 States Magistrate Judge, pursuant to 28 U.S.C. §§ 636, et seq., and
22 Local Rule 72-302. On August 15, 2005, Judge Nowinski filed
23 findings and recommendation which were served on all parties and
24 objections were to be filed within ten days after service. Neither
25 party has filed objections to the findings and recommendation.
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1 The court has reviewed the file and finds the findings
2 and recommendation to be supported by the record and by the
3 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
4 that:

5 1. The Findings and Recommendation filed August 15, 2005, are
6 adopted in full;

7 2. Plaintiff's petition for attorney fees pursuant to the
8 EAJA is denied as premature.

9 Dated: September 15, 2005

10 /s/ Garland E. Burrell, Jr.
11 GARLAND E. BURRELL, JR.
12 United States District Judge
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